

**LUMPKIN COUNTY
BOARD OF COMMISSIONERS
AGENDA**

**Dahlonega City Hall
465 Riley Road
Dahlonega, Georgia
September 15, 2005
6:00 P.M.**

- I. CALL TO ORDER** Chairman Gooch
- II. INVOCATION** Reverend Frank Colladay
Dahlonega Presbyterian Church
- III. ISSUE LICENSE**
- Beer & Wine Alcoholic Beverage License
 - o Kevin Candler Flanagan for The Corner Store #2
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF MINUTES**
- July 22, 2005 Regular Meeting
 - July 22, 2005 Special Called Meeting
 - July 28, 2005 Special Called Meeting
 - August 1, 2005 Special Called Meeting
 - August 9, 2005 Special Called Meeting
 - August 16, 2005 Regular Meeting
- VI. REPORTS**
- Department Heads
 - Elected Officials
- VII. NEW BUSINESS**
- RESOLUTIONS
 - o 2005- 45 Adopting 2006 Budget
 - o 2005-46 Establishing 2005 Millage Rate
 - o 2005-47 Surplus Property
 - o 2005-48 Adopting Comprehensive Plan
 - o 2005-49 Appointment to Lumpkin County Planning Commission
 - o 2005-50 Creating Lumpkin County Unincorporated Special Tax District No. 1
 - o 2005-51 Authorizing the District Attorney Designee for Purpose of Contracting with the State of Georgia
 - o 2005-52 Allocation of 5% Victim Assistance Fines
 - o 2005-53 Adopting the Solid Waste Plan
 - o 2005-54 In Support of the Georgia National Guard
 - o 2005-55 Sewer Use Ordinance

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- **CONTRACTS**
 - o Heywood Fields Post #239 of the American Legion-Consent Agreement
 - o Tel Control, Inc. (TCI) – 911 Center Hardware and Software Warranty Renewal
 - o Ninth District Opportunity, Inc. – Contract for use of Head Start Building
 - o Lumpkin County Water & Sewerage Authority – Intergovernmental Financial Services Agreement
 - o BlueCross BlueShield of Georgia-Application for Amendment to Group Master Contract Number 100750300 (Annual Renewal)
 - o ACCG-IRMA Loss Control and Safety Incentive Discount Program 10/1/2005 – 9/30/2006 Safety Discount Verification
 - o Airport Owners and Operators General Liability
 - o Enotah Public Defender – Intergovernmental Indigent Defense Agreement
 - o Department of Transportation – Off-System Safety Improvement Project
 - o Dahlonega-Lumpkin County Chamber of Commerce Agreement
 - o Transfer Station Contract
- **OTHER ITEMS**
 - o Lumpkin County Hospital Authority-Cases for Review/Approval
 - o Department of Family and Children Services Appropriation
 - o Guardian Insurance
 - o ACCG Fall Policy Conference-Voting Delegate
 - o Easements
 - o Home Depot Landscape Plan

VIII. OLD BUSINESS

- COUNTY MANAGER'S COMMENTS
- CHAIRMAN'S COMMENTS
- COMMISSIONERS COMMENTS
- COUNTY ATTORNEY'S COMMENTS
- PUBLIC COMMENTS

IX. ANNOUNCEMENTS

Future Board Meetings:

- | | |
|----------------------------------|---|
| ➤ Board Work Session – City Hall | Oct. 6 th , 2005 at 9:00 a.m. |
| ➤ Board Meeting – City Hall | Oct. 20 th , 2005 at 9:00 a.m. |
| ➤ Board Work Session – City Hall | Nov. 3, 2005 at 9:00 a.m. |
| ➤ Board Meeting – City Hall | Nov. 17, 2005 at 6:00 p.m. |

Public Hearings:

- | | |
|------------------------------|---------------------------|
| ➤ Transit System – City Hall | Oct. 6, 2005 at 8:30 a.m. |
|------------------------------|---------------------------|

X. ADJOURN

Chairman Gooch

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE
LUMPKIN COUNTY BOARD OF COMMISSIONERS**

September 15, 2005

CALL TO ORDER

The meeting was called to order by Chairman Gooch at 6:00 p.m. Commissioners present were Stephen Gooch, John Raber, Deborah Hutcheson, and Clarence Stowers. The Reverend Frank Colladay opened the meeting with prayer. Chairman Gooch requested that everyone stand and join in the Pledge of Allegiance.

ISSUE LICENSE

Chairman Gooch announced that public hearing regarding the issuance of a Beer & Wine Alcoholic Beverage License to Kevin Candler Flanagan was held today at 5:15 p.m. There were no objections voiced at the public hearing.

John Raber made a motion to issue a Beer & Wine Alcoholic Beverage License to Kevin Candler Flanagan for the Corner Store #2, located at 6705A Hwy. 52 East, Murrayville, Georgia. This motion was seconded by Clarence Stowers and approved by all district commissioners present.

APPROVAL OF AGENDA

John Raber made a motion to adopt the agenda. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

APPROVAL OF MINUTES

John Raber requested a change to the July 28, 2005 minutes. The minutes stand corrected to read: "A motion was made by John Raber to use a portion of the Special Purpose Local Option sales Tax to pay for a new water treatment plant, if said SPLOST is approved by the voters in a referendum".

John Raber made a motion to approve the minutes of the July 22, 2005, & August 16, 2005 regular meetings, July 22, 2005, August 1, 2005, & August 9, 2005 Special Called Meetings, and the July 28, 2005 Special Called Meeting minutes as amended. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

REPORTS

Reports were presented by Department Heads and are on file in the Board of Commissioners Office. Commissioner Hutcheson thanked the department heads for their hard work and for putting their reports together.

NEW BUSINESS

RESOLUTION 2005-45

Chairman Gooch read a resolution establishing and adopting the Lumpkin County Budget for Fiscal Year 2006.

A motion was made by Deborah Hutcheson to approve the 2006 Budget. Clarence Stowers seconded the motion, which was followed by discussion regarding reallocating \$16,000.00 from General Fund contingency line to the library allocation line item.

The motion was amended by Deborah Hutcheson to approve the 2006 Budget with an increase of \$16,000.00 to the library allocation. The amended motion was seconded by John Raber and approved by all district commissioners present.

RESOLUTION 2005-46

Chairman Gooch read a resolution establishing the 2005 ad valorem tax millage rate at 8.052 for the property in the unincorporated areas of Lumpkin County, 9.068 for the property in the incorporated areas of the City of Dahlonega, and 0.411 for property in the Lumpkin County Unincorporated Special Tax District No.1.

John Raber made a motion to approve this resolution. The motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

Chairman Gooch read a letter from Mr. Dewey W. Moye, Superintendent of Lumpkin County Schools stating that the Board of Education voted at their meeting held August 25, 2005 to set the 2005 maintenance and operation millage rate for Lumpkin County Schools at 14.19 mills.

RESOLUTION 2005-47

Chairman Gooch read a resolution to authorize the abandonment of certain county property not economically salvageable. The property being abandoned includes small buildings that had been used as polling places in Davis, Mill Creek, and Nimblewill precincts.

John Raber made a motion to approve this resolution. The motion was seconded by Clarence Stowers and approved by all district commissioners present.

RESOLUTION 2005-48

Chairman Gooch read a resolution authorizing the transmittal of the Comprehensive Plan for Lumpkin County to the Georgia Mountains Regional Development Center for review, comment and recommendation and certifying that minimum local plan public participation requirements have been met.

Deborah Hutcheson made a motion to approve this resolution with the condition the 150' stream buffer is not in the plan. The motion was seconded by Clarence Stowers and approved by all district commissioners present.

RESOLUTION 2005-49

Chairman Gooch read a resolution of appointment to the Lumpkin County Planning Commission. Bill Martin is reappointed to Seat 1, term ending August 27, 2009. Gary Steffey is appointed to Seat 2, term ending August 27, 2009.

John Raber made a motion to approve this resolution. The motion was seconded by Clarence Stowers and approved by all district commissioners present.

RESOLUTION 2005-50

Chairman Gooch read a resolution to create Lumpkin County Unincorporated Special Tax District No. 1 to specify the property subject to taxes levied against property lying within the unincorporated portion of Lumpkin County, to include all that property lying within the boundaries of Lumpkin County as established by statute, and lying outside the corporate boundaries of the City of Dahlonega.

Deborah Hutcheson made a motion to approve this resolution. The motion was seconded by Clarence Stowers and approved by all district commissioners present.

RESOLUTION 2005-51

Chairman Gooch read a resolution authorizing and designating the District Attorney of the Enotah Judicial Circuit as the Lumpkin County Board of Commissioners designee for the purpose of contracting with the State of Georgia in order to comply with the provisions of O.C.G.A. §15-18-20.1.

John Raber made a motion to approve this resolution. The motion was seconded by Clarence Stowers and approved by all district commissioners present.

RESOLUTION 2005-52

Chairman Gooch read a resolution to provide for the orderly disbursement of victim assistance fines. Funds shall be distributed by the following formula: N.O.A.'s Ark - 60% of funds received, C.A.S.A. - 25% of funds received, and Rape Response - 15% of funds received.

Clarence Stowers made a motion to approve this resolution. The motion was seconded by John Raber and approved by all district commissioners present.

RESOLUTION 2005-53

Chairman Gooch read a resolution to adopt a Comprehensive Solid Waste Management Plan Update for Lumpkin County. The plan is authorized to be submitted to the Georgia Mountains Regional Development Center for its review, comment and recommendation.

John Raber made a motion to approve this resolution. The motion was seconded by Clarence Stowers and approved by all district commissioners present.

RESOLUTION 2005-54

Chairman Gooch read a resolution recognizing the National Guard and Reserve as essential to the strength of our nation and the well being of our communities.

John Raber made a motion to approve this resolution. The motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

RESOLUTION 2005-55

Chairman Gooch read a resolution and ordinance jointly adopted by Lumpkin County, Georgia and the Lumpkin County Water and Sewerage Authority. The ordinance designates officers, agents, and/or employees of the Lumpkin County Water and Sewerage Authority to be the enforcement officers with respect to Sewer Use Ordinance, and officers, agents, and/or employees shall initiate any and all actions provided for under the Sewer Use Ordinance, including but not limited to the enforcement.

Clarence Stowers made a motion to approve this resolution contingent on the approval by the Lumpkin County Water & Sewerage Authority's engineer. The motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

CONTRACTS

Heywood Fields Post #239 of the American Legion-Consent Agreement

Consent agreement regarding a Ground Lease between Hayward Fields, Post 239, The American Legion Department of Georgia and Chick-Fil-A, Inc. dated August 26, 2005 for certain property located in Lumpkin County, Georgia. The County consents to the execution and delivery of the Lease and hereby agrees that the County's reversionary interest in the Land under the Indenture is and shall be subordinate to Tenant's leasehold estate in the Land and other rights and easements created under the Lease.

John Raber made a motion to approve this consent agreement. This motion was seconded by Clarence Stowers and approved by all district commissioners present.

Tel Control, Inc. (TCI) – 911 Center Hardware and Software Warranty Renewal

Hardware and software warranties for the TCI Invasion2 Base System.

Ninth District Opportunity, Inc. – Contract for use of Head Start Building

Contract for use of a building located on Mechanicsville Road in Lumpkin County, Georgia from October 1, 2005 through September 30, 2006. The use of space provided to NDO by the county (rent-free) shall be considered an in-

kind contribution, as the former is a private non-profit corporation and is required by law to match 20% of its federal funding with in-kind or cash contributions. This in-kind contribution shall be valued at \$109,718 (12,908 square feet at \$8.50 per sq. ft. for twelve months).

Lumpkin County Water & Sewerage Authority – Intergovernmental Financial Services Agreement

County shall provide to Authority standard financial services to include, but not limited to, management of all accounts, monitoring all payments of existing debt, to include bond payments, financial reporting to Authority's Board of Directors, annual internal audit and any necessary preparation for outside auditors, selection and implementation of software accounting programs and other financial management services deemed necessary by the County Financial Director. Compensation to County shall be at the rate of two and one-half per cent of the prior year expenditure budget of the Authority, payable monthly, with the monthly fee for 2005-2006 to be calculated on an annual fee of \$14,772.20. This agreement shall begin on October 1, 2005, and shall terminate on September 30, 2006, unless earlier terminated.

BlueCross BlueShield of Georgia-Application for Amendment to Group Master Contract Number 100750300
Annual renewal for employee healthcare coverage. The new plan will be effective on October 1, 2005.

ACCG-IRMA Loss Control and Safety Incentive Discount Program 10/1/2005 – 9/30/2006 Safety Discount Verification

Lumpkin County receives a discount of 7.5% on the 2006 ACCG-GSIWCF workers' compensation premiums if the program guidelines are met. The members of the Board of Commissioners of Lumpkin County acknowledge that they have read and fully support the requirements and activities of the ACCG – GSIWCF's Loss Control and Safety Incentive Discount Program, and has fully complied with all of the requirements of the program.

Airport Owners and Operators General Liability

This policy provides coverage for the General Liability exposures relating to the airport owners' interest in the operations of the airport. Airport Liability Policy No. PR 132407 renews on October 1, 2005 for the Lumpkin County/Wimpy Airport.

Enotah Public Defender – Intergovernmental Indigent Defense Agreement

Indigent Defense Agreement among the Circuit Public Defender Office of the Enotah Judicial Circuit and the governing authorities of Lumpkin, Towns, Union, and White Counties. This agreement is to implement the provisions of the Georgia Indigent Defense Act of 2003, as amended.

Parker Traffic Marking, Inc. - Department of Transportation /Off-System Safety Improvement Project

Contract for safety improvements on 42 county roads. The contractor shall furnish all necessary labor, material and equipment for the installation of safety elements consisting of the placement of standard road signs, roadway striping, stop bars and rumble strips on 42 county roads in Lumpkin County for the amount of \$185,000.00.

Dahlonega-Lumpkin County Chamber of Commerce Agreement

This contract is to provide for the promotion of tourism, conventions and trade show in the unincorporated area of Lumpkin County. To fund this promotion, Lumpkin County has imposed a five percent (5%) tax on hotel/motel accommodations (as defined by law), and dedicates the entire amount of the tax collected to this purpose, less any administrative costs incurred by the County. This contract shall be for the period beginning January 1, 2005 through December 31, 2005.

Mark Robinson Hauling, L.L.C. - Transfer Station Contract

Lumpkin County shall lease to Mark Robinson Hauling, L.L.C. the solid waste transfer station, including the scale house, scales and computer system currently in place, located on Barlow Road in Dahlonega, Georgia, for the amount of \$15,00.00 per year. This contract shall be for the period beginning November 1, 2005 through October 31, 2006.

John Raber made a motion to approve the remaining contracts presented. This motion was seconded by Clarence Stowers and approved by all district commissioners present.

OTHER ITEMS

Lumpkin County Hospital Authority – Cases for Review/Approval

Chairman Gooch presented to the Board of Commissioners a list of indigent health care cases as approved by the Lumpkin County Hospital Authority Board.

John Raber made a motion to approve for payment the indigent health care cases as presented. This motion was seconded by Clarence Stowers and approved by all district commissioners present.

Department of Family and Children Services Appropriation

Director Dorothy Gore requested that the Lumpkin County Department of Family and Children Services be paid the budgeted allocation in monthly payments. The Board of Commissioners received letters of support for this change from Lumpkin County DFACS Board Member Ann Lawson and Lumpkin County Adoptive and Foster Parent Association President Gwen Brock.

John Raber made a motion that the Lumpkin County Department of Family and Children Services receive the Lumpkin County budgeted allocation on a monthly basis now and in the future for childcare and childcare facilities. This motion was seconded by Clarence Stowers and approved by all district commissioners present.

Guardian Insurance

The Human Resource Department recommended that County employees who are covered by the Guardian \$10,000.00 term life insurance be required to pay 100% of the coverage if they choose to keep the coverage, and that the County increase the Greater Georgia Life term life insurance coverage from \$20,000.00 coverage for all full-time employees to \$30,000.00 coverage.

Deborah Hutcheson made a motion to approve the proposed changes to life insurance coverage. This motion was seconded by Clarence Stowers and approved by all district commissioners present.

ACCG Fall Policy Conference – Voting Delegate

The Association County Commissioners of Georgia have requested the name of the voting delegate to cast Lumpkin County's vote on matters coming before the Fall Policy Conference Business Session.

John Raber made a motion that Chairman Gooch be the voting delegate at the ACCG Fall Conference Business Session. This motion was seconded by Clarence Stowers and approved by all district commissioners present.

Easements

A public hearing will be held 9:00 a.m., Thursday, September 29, 2005 in the Conference Room of the Lumpkin County Courthouse. The purpose of the hearing is to discuss proposed changes to the Lumpkin County Subdivision Regulations involving Easements, Green Space, and Home Businesses.

Home Depot Landscape Plan

Mr. Gary Werts presented a revised landscape plan for the new Home Depot to be located at Hwys. 60 and 400. This plan is subject approval by the Department of Transportation and their insurance provider.

John Raber made a motion to accept the revised Home Depot landscape plan. This motion was seconded by Clarence Stowers and approved by all district commissioners present.

OLD BUSINESS

COUNTY MANAGER'S COMMENTS

County Manager Kelley announced that Emergency Services Director Don Seabolt is leaving for Louisiana to assist with Katrina disaster relief operations. Ann Wigley will serve in the absence of Don Seabolt.

The County Manager met with the group developing Spring Mountain Subdivision off Rock Tree Road. The developers will be presenting plans for the road changes.

CHAIRMAN'S COMMENTS

Chairman Gooch expressed concern regarding the article printed in The Dahlonega Nugget last week related to low pay keeping the Sheriff's Department short on staff.

Chairman Gooch asked if the county mileage allowance for travel would be increased due to the recent increases in gas prices. County Manager Kelley responded that county allowance or mileage would be addressed at the next work session with the revisions to the travel policy.

COMMISSIONERS COMMENTS

Commissioner Hutcheson stated she would like to return any excess monies to departments, but the County Manager presented information to her indicating there could be unbudgeted expenses. Finance Director Allison Martin expressed her concern with current conditions in dealing with the Sheriff's department on matters of purchasing. County Manager Kelley stated he was opposed to making any commitment regarding the return of any unused 2005 Budget funds to the departments.

Commissioner Raber said he would like the board to consider addressing the subjects of Impact Fees, Consolidation, and General Obligation Bonds. He also reminded everyone that the 6 Gap Race will be held this weekend and the Chamber of Commerce is in need of volunteers.

Commissioner Stowers stated that the approved 2006 Budget is within \$10,000.00 of what he had anticipated.

COUNTY ATTORNEY

No comments.

PUBLIC COMMENTS

Gerald Lewy asked when the Landscape and Signage Ordinances would be completed. He said he was aware that Commissioners Martin and Stowers had worked hard to put together documents and now it needs to be done. Planning Director Tim Shick responded that he is working to have the ordinances completed.

Sharon Hall asked if the board would be working on having the Board of Commissioners elected on a non-partisan basis. Chairman Gooch responded that the Association County Commissioners of Georgia would be working on this subject.

ADJOURN

Chairman Gooch asked for a motion to adjourn. Deborah Hutcheson made a motion to adjourn the meeting at 8:51 p.m. The motion was seconded by Clarence and approved by all district commissioners present.

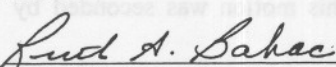
10-21-2005

Date


Stephen W. Gooch, Chairman

Lumpkin County Board of Commissioners

Attest:



Ruth A. Bohac

Clerk, Lumpkin County